

Fill in this information to identify your case:

United States Bankruptcy Court for the:

DISTRICT OF NEW JERSEY

Case number (if known)

Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name	Enviro Kleen, Inc.	
2. All other names debtor used in the last 8 years Include any assumed names, trade names and doing business as names		
3. Debtor's federal Employer Identification Number (EIN)	22-3624026	
4. Debtor's address	Principal place of business  633 Pierce Avenue Linden, NJ 07036 Number, Street, City, State & ZIP Code  Union County	Mailing address, if different from principal place of business  P.O. Box 1535 Linden, NJ 07036 P.O. Box, Number, Street, City, State & ZIP Code  Location of principal assets, if different from principal place of business  Number, Street, City, State & ZIP Code
5. Debtor's website (URL)		
6. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other. Specify:	

Debtor **Enviro Kleen, Inc.**  
Name

Case number (if known)

**7. Describe debtor's business**

**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

**B. Check all that apply**

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

**C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.**

**8. Under which chapter of the Bankruptcy Code is the debtor filing?**

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

**Check one:**

- ☐ Chapter 7
- ☐ Chapter 9

☒ **Chapter 11. Check all that apply:**

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11.** If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

If more than 2 cases, attach a separate list.

- ☒ No.
- ☐ Yes.

District \_\_\_\_\_  
District \_\_\_\_\_

When \_\_\_\_\_  
When \_\_\_\_\_

Case number \_\_\_\_\_  
Case number \_\_\_\_\_

Debtor **Enviro Kleen, Inc.**

Case number (if known)

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?
- ☒ No  
☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor  
District

When

Relationship

Case number, if known

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No☐ Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

- ☐ It needs to be physically secured or protected from the weather.

- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

- ☐ Other

Where is the property?

Number, Street, City, State &amp; ZIP Code

Is the property insured?

☐ No☐ Yes. Insurance agency

Contact name

Phone

### Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000

15. Estimated Assets

☒ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000☐ \$1,000,001 - \$10 million☐ \$500,000,001 - \$1 billion

Debtor

**Enviro Kleen, Inc.**

Case number (if known)

Name

☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☒ \$500,001 - \$1 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor **Enviro Kleen, Inc.**  
Name

Case number (if known)

**Request for Relief, Declaration, and Signatures****WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **September 27, 2023**  
MM / DD / YYYY**X /s/ Michael J. Malone**

Signature of authorized representative of debtor

**Michael J. Malone**

Printed name

Title **President****18. Signature of attorney****X /s/ Sam Della Fera, Jr.**

Signature of attorney for debtor

Date **September 27, 2023**

MM / DD / YYYY

**Sam Della Fera, Jr.**

Printed name

**Chiesa Shahinian & Giantomasi PC**

Firm name

**105 Eisenhower Parkway****Roseland, NJ 07068**

Number, Street, City, State &amp; ZIP Code

Contact phone **973-325-1500**Email address **sdellafera@csglaw.com****023701992 NJ**

Bar number and State

**UNANIMOUS CONSENT OF BOARD OF DIRECTORS**  
**OF ENVIRO KLEEN, INC.**

I hereby certify that at a duly called and held special meeting of the board of directors of Enviro Kleen, Inc. (the "Company"), held on the 27<sup>th</sup> day of September, 2023, the following Resolution was proposed and unanimously adopted:

**BE IT RESOLVED**, the aforementioned Company, in view of its financial condition, be and is hereby authorized and directed on behalf of the Company, to file a petition pursuant to Chapter 11 of the Bankruptcy Code and retain the services of counsel for the purposes of preparing, filing, and prosecuting a petition under Chapter 11 of the Bankruptcy Code and to take all steps necessary and related thereto, and that Michael J. Malone is hereby authorized to execute the Petition and any other pleadings or documents he deems necessary in connection with the Chapter 11 case of the Company; and it is further

**RESOLVED**, that Michael J. Malone be, and hereby is, authorized and directed in the name and on behalf of the Company, to prepare, execute, issue, deliver, and/or file any and all such further agreements, certificates, instruments, letters, and pleadings and other documents to perform any and all such acts as he may deem necessary or desirable to effectuate fully the foregoing Resolution; and it is further

**RESOLVED**, that the Company is authorized to retain the law firm of Chiesa Shahinian & Giantomasi PC to represent the Company in connection with the Chapter 11 filing.

In certification hereof, we set our hands and seal this 27<sup>th</sup> day of September, 2023.

ENVIRO KLEEN, INC.

By: /s/ Michael J. Malone  
Michael J. Malone  
President

**United States Bankruptcy Court**  
**District of New Jersey**

In re **Enviro Kleen, Inc.**

Debtor(s)

Case No.

Chapter **11**

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)**

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept

N/A

Prior to the filing of this statement I have received

The Debtor paid Chiesa Shahinian & Giantomasi PC ("CSG") a retainer of \$25,000. Prior to filing the Chapter 11 petition, CSG was paid \$7,178.20 for pre-petition services. The remaining retainer balance is \$17,821.80.

Balance Due

N/A

2. The source of the compensation paid to me was:

☒ Debtor ☐ Other (specify):

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify):

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d. [Other provisions as needed]

6. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

**September 28, 2023**

*Date*

/s/ Sam Della Fera, Jr.

**Sam Della Fera, Jr.**

*Signature of Attorney*

**Chiesa Shahinian & Giantomasi PC**

**105 Eisenhower Parkway**

**Roseland, NJ 07068**

**973-325-1500 Fax: 973-325-1501**

**sdellafera@csglaw.com**

*Name of law firm*

**United States Bankruptcy Court  
District of New Jersey**

In re Enviro Kleen, Inc. Debtor(s) Case No. Chapter 11

**VERIFICATION OF CREDITOR MATRIX**

I, the President of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: September 27, 2023

/s/ Michael J. Malone  
**Michael J. Malone/President**  
Signer/Title



Internal Revenue Service  
Special Procedures Branch  
Attn: Bankruptcy Section  
PO Box 744  
Springfield, NJ 07081-0744

Internal Revenue Service  
Attn: District Director  
955 South Springfield Avenue  
Springfield, NJ 07081

Internal Revenue Service  
PO Box 7346  
Philadelphia, PA 19101-7346

L & H Cleaning Services  
135 Fourth Avenue  
Newark, NJ 07104

New Jersey Department of Labor  
One John Fitch Way  
Trenton, NJ 08625-0110

New Jersey Department of Labor  
Division of Employer Accounts  
PO Box 379  
Trenton, NJ 08625

New Jersey Division of Taxation  
Bankruptcy Section  
PO Box 245  
Trenton, NJ 08695-0245

New Jersey Division of Taxation  
Sales & Use Tax  
PO Box 999  
Trenton, NJ 08646-0999

NJ Dept. of Labor & Workforce Dev.  
Div. of Wage, Hour & Contract Compliance  
Attn: David A. Biglin, Director  
PO Box 389  
Trenton, NJ 08625-0389

NJ Division of Taxation  
124 Halsey Street  
Newark, NJ 07102

Office of the Attorney General  
Division of Law  
PO Box 080  
Trenton, NJ 08625-0080

Office of the Attorney General  
Division of Law  
Hughes Justice Complex  
25 Market Street, PO Box 112  
Trenton, NJ 08625-0112

Office of the Chief Counsel  
Internal Revenue Service  
One Newark Center  
Suite 1500  
Newark, NJ 07102

Office of the United States Attorney  
970 Broad Street  
Fifth Floor  
Newark, NJ 07102

S R Maintenance  
Attn: Luis Oyola  
47 Federal Street  
Metuchen, NJ 08840

United Partners Business Park, LLC  
1243 Route 22  
Mountainside, NJ 07092